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May 21, 2021

BY ECF

The Honorable Kiyo A. Matsumoto
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201
Chambers: Room S905
Courtroom: 6C South

Re: *Alexander Mirvis, et al. v. Berkshire Hathaway Inc. and Government Employees Insurance Company (a/k/a GEICO), No. 21 Civ. 2210 (KAM)(RLM)*

Dear Judge Matsumoto:

We represent Government Employees Insurance Company ("GEICO") in the above referenced action. Pursuant to the Court's May 19, 2021 Order following the pre-motion conference on the same date, we write to confirm that GEICO agrees to submit an affidavit confirming that Berkshire Hathaway Inc. is not in any way involved in GEICO's day-to-day operations, including GEICO's issuance of insurance policies and data management.

GEICO will be prepared to submit the affidavit by May 27, 2021.

Sincerely,
Smith, Gambrell & Russell, LLP
John P. Marino
John P. Marino, *pro hac vice*

Copy to counsel of record (via ECF)

